IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Writ Petition No.4952 of 2005

Smt.Ramabai Dhondiba Gaikwad — Petitioner
Vs.
Head Mistress,
Smt.Saraswati Timmappa Marathi
Primary School, Solapur & ors. — Respondents

Mr.V.V.Purwant for petitioner.
Mr.I.M.Khairdi for Resp.nos.1 & 6.
Mr.Nitin Jamdar for resp.no.3.
Mr.P.P.Kakade, AGP for Resp.nos.4 & 5.

CORAM: B.H.MARLAPALLE & NARESH H.PATIL,JJ.
September 12, 2006.

P.C.

. This petition deals with the grievance regarding seniority of the teachers in a primary school which has Divisions upto seventh standard. In such a school 25 % of the teachers are required to be trained graduate teachers. The petitioner claims that she passed her D.Ed. in 1975 and came to be appointed as an Assistant Teacher under Respondent no.1 in 1993. She obtained here B.A. Degree on or about 14th June 1997 and she claims to be senior to the respondent no.6, whereas the respondent no.6 claims that she joined as a trained teacher on 2/6/1997 when the petitioner was not a trained graduate teacher.

. The issue relating to seniority of the teachers can be more appropriately considered by the Education Officer i.e. Respondent No.3 and 4 under Rule 12 of the MEPS Rules, 1981.

. We, therefore, direct the Respondent Nos.3 and 4 to decide the issue of inter se seniority of all the Assistant Teachers presently working at Smt. Saraswati Timmani Marathi Primary School, Solapur if an application is presented by the petitioner within a period of four weeks from today for the same. Undoubtedly, the respondent no.3 and/or respondent no.4 shall hear all the parties concerned including the Head Mistress and finalise the seniority of the teachers within a period of six months from the presentation of the application.

. Petition disposed off in terms of the above directions. Writ to go forthwith.

(NARESH H. PATIL,J.) (B.H.MARLAPALLE,J.)